

On March 23, 1943, the United States attorney for the Eastern District of Louisiana filed a libel against 50 cases of cookies at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about February 20, 1943, by Thomas & Clarke, Inc., from Peoria, Ill.; and charging that it was adulterated in that it was unfit for food because of contamination with naphthalene or creosote. The article was labeled in part: "Keystone Asst. Sand. Marshmallow Cookies," or "Asst. Egood Cream Cookies."

On June 11, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4927. Adulteration and misbranding of enriched bread. U. S. v. Neal Freeman (Good Eats Bakery). Plea of guilty. Fine, \$200. (F. D. C. No. 7749. Sample No. 88180-E.)

On January 22, 1943, the United States attorney for the Northern District of Texas filed an information against Neal Freeman, trading as the Good Eats Bakery, at Dalhart, Tex., alleging shipment on or about May 26, 1942, from the State of Texas into the State of Oklahoma of a quantity of bread that was adulterated and misbranded. The article was labeled in part: "Tender Krust Bread."

It was alleged to be adulterated in that valuable constituents, vitamin B₁, nicotinic acid, riboflavin, iron, and calcium, had been in whole or in part omitted from said article, and in that it was represented to consist of bread that had been enriched with vitamin B₁, and to contain in each loaf 450 International units of vitamin B₁, 0.6 milligram of riboflavin, 8 milligrams of nicotinic acid, 9 milligrams of iron, and 320 milligrams of calcium; whereas it had not been enriched with vitamin B₁, and each loaf contained not more than 300 International units of vitamin B₁, not more than 0.34 milligram of riboflavin, not more than 4.3 milligrams of nicotinic acid or its biological equivalent, not more than 7.07 milligrams of iron, and not more than 157.6 milligrams of calcium.

It was alleged to be misbranded (1) in that the statements, "Enriched with Vitamin B₁ Contains Not Less Than: 450 International Units Vitamin B₁ (1.35 mg. Thiamin) 0.6 mg. (Riboflavin) vitamin B₂ 8 mg. of Nicotinic Acid (a Vitamin of the Vitamin B complex) 9 mg. of Iron 320 mg. of Calcium," borne on the wrapper were false and misleading; (2) in that it was in package form and its package did not bear a label containing the address of the manufacturer, packer, or distributor; and (3) in that it did not bear a label containing an accurate statement of the quantity of the contents in terms of weight.

On June 8, 1943, a plea of guilty having been entered by the defendant, the court imposed a fine of \$200.

4928. Misbranding of cookies. U. S. v. 119 Boxes of Cookies. Default decree of condemnation. Product ordered distributed to charitable institutions. (F. D. C. No. 9606. Sample No. 44597-F.)

On or about March 25, 1943, the United States attorney for the District of Connecticut filed a libel against 119 boxes of cookies at Hartford, Conn., alleging that the article had been shipped in interstate commerce on or about February 17, 1943, by Sherman Rubin, from Bronx, N. Y.; and charging that it was misbranded. The article was labeled in part: (Sticker) "U. S. Cookies 14 Oz. Net Weight * * * Certified Flavor * * * Baked by U. S. Cookies, Inc. Brooklyn, N. Y."

The article was alleged to be misbranded (1) in that the statement "14 Oz. Net Weight" was false and misleading since it was short weight; (2) in that the statement "Certified Flavor" was false and misleading since flavors are not certified; (3) in that it was in package form and failed to bear a label containing an accurate statement of the quantity of the contents; and (4) in that it contained artificial coloring and failed to bear labeling stating that fact.

On May 5, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered distributed to charitable institutions.

4929. Misbranding of cookies. U. S. v. 540 Cartons of Cookies (and 2 additional seizure actions against cookies). Decrees of condemnation. Product ordered delivered to welfare organizations. (F. D. C. Nos. 9201, 9241, 9242. Sample Nos. 9040-F, 10613-F, 15857-F.)

This product was short of the declared weight.

Between January 15 and February 1, 1943, the United States attorneys for the Northern District of California, the District of Wyoming, and the Northern District of Texas filed libels against 540 cartons, each containing 12 packages, of cookies at